The opinion in support of the decision being entered today was <u>not</u> written for publication and is <u>not</u> binding precedent of the Board.

Paper No. 13

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED	
JUN 3 0 2004 BE U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES	FORE THE BOARD OF PATENT APPEALS AND INTERFERENCES
AND ISTELL ELENDES	Ex parte RUSSELL W. BELL
	Appeal No. 2003-1963 Application No. 09/357,720
	ON BRIEF

Before HARKCOM, *Acting Chief Administrative Patent Judge*, WILLIAM F. SMITH and NASE, *Administrative Patent Judges*.

Per Curiam.

REMAND TO THE EXAMINER

The Office of the Group Director of Technology Center 2100 has requested that this application be remanded to the jurisdiction of the patent examiner so that the issues raised in this appeal can be reconsidered. Accordingly, we *remand*.

If reconsideration by the examiner does not promptly result in the withdrawal of all pending rejections, the examiner must return this application to the jurisdiction of the Board so that the appeal may be restored.

Application No. 09/357,720

This application, by virtue of its "special" status, requires *immediate* action by the examiner. **See** MPEP § 708.01(d). The Board of Patent Appeals and Interferences *must* be informed promptly of any action affecting the appeal in this case, including reopening of prosecution, allowance and/or abandonment of the application.

REMANDED

ARY V. HARKCOM, Acting Chief

Administrative Patent Judge

WILLIAM F. SMITH

Administrative Patent Judge

BOARD OF PATENT APPEALS AND INTERFERENCES

JEFFREY NASE

Administrative Patent Judge

clm

Appeal No. 2003-1963 Application No. 09/357,720

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